REMARKS

Claims 1-20 are pending in the present application. Claims 1-20 are rejected. None of the claims are amended herein. Further, upon belief, it is respectfully submitted that this paper is fully responsive to the outstanding Office Action.

Claim Rejections under 35 U.S.C. §103

Claims 1-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Admitted Related Art (AP) in view of Gibson et al., (US 5,835,719) or Lee (US 6,658,576).

The rejection is respectfully traversed.

It is submitted that the cited art, either alone or in combination, fails to teach or suggest at least the recitation of claim 1 of, "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus." Moreover, it is respectfully submitted that claims 1-18 are patentable over Admitted Prior Art in view of Gibson or Lee for at least the following reasons.

According to the Office Action at the fifth paragraph of page 3, the Examiner concedes that the Admitted Prior Art does not teach an access control unit as recited in the claim 1.

Further, according to the Office Action at the first paragraph of page 4, the Examiner contends that Gibson teaches the feature "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus" of claim 1 of the present application by stating as follows: "the special information packet [50],

although containing the remote wake-up information, it's main purpose is not for waking up or sleeping the information but rather containing data to be process by the information processor."

The Examiner cites the following description of Gibson as evidence: "...The fourth field is the Frame Data block 58 which may vary from 0 to 1404 bytes in length containing the data to be processed. ..." [col. 3, lines 32-53]

However, next to the above descriptions, the following description by Gibson should also be noted: "...The fourth field is the Frame Data block 58 which may vary from 0 to 1404 bytes in length containing the data to be processed. In the preferred embodiment of the present invention a 96 byte wake-up data sequence 60, comprising 16 consecutive repetitions of the Destination Address 52 is embedded within the Frame Data block 58...." [col. 3 lines 32-53].

Whatever purposes the special information packet [50] may have, Gibson fails to disclose the feature "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus" as recited in claim 1 of the present application.

Furthermore, according to the Office Action at the second paragraph of page 6, the Examiner argues that Lee teaches the feature "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus" as recited in claim 1 of the present application.

The Examiner cites the following description of Lee as evidence: "The operating instructions comprise the steps of (i) determining if incoming information received from a remote communication system (such as a computer or phone) requests any data-forwarding or

routing service, (ii)..., and (iii) <u>transmitting requested information or at least a message to the</u> <u>another remote communication system</u> (such as another computer, pager, portable or mobile communication device). When carrying the another remote communication system, a <u>person</u> <u>becomes instantly reachable for receiving any urgent **electronic mails**</u>." [col. 13 line 64 to col. 14 line 11].

However, Lee describes in the specification at col. 14 lines 45-48 as follows: "When a wake-up signal (S502) is detected, control circuit 430 further determines if it is a ring signal (S503) and if a communication program is active (S504)."

Thus, Lee fails to disclose at least the feature of claim 1 of the present application of, "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus."

Accordingly, it is submitted that neither Lee or Gibson cures the deficiencies of Admitted Prior Art.

Therefore, claim 1 is patentable over Admitted Prior Art in view of Gibson or Lee. The remaining claims 2 to 18 are patentable over Admitted Prior Art in view of Gibson or Lee for at least somewhat similar reasons to that as provided above over claim 1 of the present application. More specifically, as each of the remaining independent claims recite a somewhat similar recitation to the aforementioned recitation of claim 1 of the present application, the arguments presented above over the cited art are applicable here (e.g., independent claims 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18) where appropriate. Further, the dependent claims (e.g., claims 2, 5, 8, 11, 14 and 17) are patentable for at least the reason of their respective dependencies from one of the

independent claims.   Separate and individual consideration of the dependent claims is respectfully requested.

In view of the foregoing, it is respectfully submitted that the rejection is overcome.

Claims 19 and 20 were rejected under 35 U.S.C. §103(a) s being unpatentable over AP in view of Dea (US 5,742,833).

The rejection is respectfully traversed.

It is submitted that the cited art, either alone or in combination, fails to teach or suggest at least the recitation of claim 19 of, "wherein the access request is an access request not to be intended for waking up or sleeping the information processor."   Moreover, it is submitted that claims 19 and 20 are patentable over Admitted Prior Art in view of Dea for at least the following reasons.

According to the Office Action at the last two lines of page 9, the Examiner concedes that the Admitted Prior Art does not teach an access control unit as recited in claim 19 of the present application.

According to the Office Action at the second paragraph of page 11, the Examiner argues that Dea teaches the feature "wherein the access request is an access request not to be intended for waking up or sleeping the information processor" as recited in claim 19 of the present application.

The Examiner cites the following description by Dea as evidence: "the data frame portion of a frame is the portion which provides information as to whether a particular station should accept or reject a particular broadcast packet, e.g.., whether in response to a given broadcast packet, a system board and associated CPU should be activated or, on the contrary, should remain in a low-power state because the data associated with the broadcast packet is not relevant to the particular station. [col. 2 lines 40-45]. For example, if, in doing the frame data matching and predetermined response functions 182, 188, it is determined that the data in the incoming packet in the frame data of FIG. 5 is a Netware IPX message for which a predetermined response is required,...[col. 10 lines 34-36]."

However, Dea describes in the specification at col. 4, lines 15 to 22 as follows: "In accordance with the foregoing capability, a workstation or PC is thereby programmed to enter a wake-up mode on specific broadcast packet or alternatively may be caused to autonomously respond to a broadcast packet with a simple pre-determined packet."

Thus, Dea fails to disclose at least the feature of claim 19 of the present application of, "wherein the access request is an access request not to be intended for waking up or sleeping the information processor."

Accordingly, it is submitted that Dea fails to cure the deficiencies of the Admitted Prior Art.

Therefore, claim 19 is patentable over Admitted Prior Art in view of Dea. The other rejected claim (e.g., claim 20) is patentable over Admitted Prior Art in view of Dea for at least somewhat similar reasons to that as provided above over claim 19 of the present application as

claim 20. More specifically, as claim 20 recites a somewhat similar recitation (e.g., "wherein the access request is an access request not to be intended for waking up or sleeping the information processor") to the aforementioned recitation of claim 19 of the present application, the arguments presented above over the cited art are applicable here (e.g., claim 20) where appropriate.

In view of the foregoing, it is respectfully submitted that the rejection is overcome.

Claims 1-18 were rejected under 35 U.S.C. §103(a) a being unpatentable over Funk et al., (US 2004/0019489) in view of Khouli et al. (US 6,308,278).

The rejection is respectfully traversed.

It is submitted that the cited art, either alone or in combination, fails to teach or suggest at least the recitation of claim 1 of, "wherein the access request is an access request not to be intended for waking up or sleeping the information processor by the external apparatus." Moreover, it is respectfully submitted that claims 1-18 are patentable over Funk in view of Khouli for at least the following reasons.

According to the Office Action at the fifth paragraph of page 13, the Examiner concedes that Funk does not teach an access control unit as recited in claim 1 of the present application.

According to the Office Action at the fifth paragraph of page 14, the Examiner argues that Khouli teaches the feature "wherein the access request is an access request not to be

intended for waking up or sleeping the information processor by the external apparatus" as recited in claim 1 of the present application.

The Examiner cites the description of a "video signal for recording" at col. 8, line 19 by Khouli as evidence.

However, Khouli describes in the specification at col. 2 lines 28-34 as follows:

"The power management system of the present invention overcomes the disadvantages of the prior art by supplying only a standby voltage to a portion of the computer that may be involved in waking the computer. Computer activity is detected, and then a wake signal is generated in response to the computer activity. The normal voltage is supplied to the computer in response to the wake signal."

Thus, Khouli fails to disclose the feature of claim 1 of the present application of, "wherein the access request is an access request not to intended for waking up or sleeping the information processor by the external apparatus."

Accordingly, Khouli fails to cure the deficiencies of Funk.

Therefore, it is submitted that claim 1 is patentable over Funk in view of Khouli. The remaining claims 2 to 18 are patentable over Admitted Prior Art in view of Khouli for at least somewhat similar reasons to that as provided above over claim 1 of the present application. More specifically, as each of the remaining independent claims recite a somewhat similar recitation to the aforementioned recitation of claim 1 of the present application, the arguments presented above over the cited art are applicable here (e.g., independent claims 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18) where appropriate. Further, the dependent claims (e.g., claims 2, 5, 8, 11,

14 and 17) are patentable for at least the reason of their respective dependencies from one of the independent claims. Separate and individual consideration of the dependent claims is respectfully requested.

In view of the foregoing, it is respectfully submitted that the rejection is overcome.
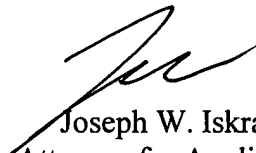
In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Joseph W. Iskra
Attorney for Applicant
Registration No. 57,485
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

JWI/jac